

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABBOTT LABORATORIES and
WISCONSIN ALUMNI RESEARCH
FOUNDATION

Plaintiffs,

v.

TEVA PARENTERAL MEDICINES, INC.,
TEVA PHARMACEUTICALS USA, INC.,
and TEVA PHARMACEUTICAL
INDUSTRIES LTD.,

Defendants.

C.A. No. 09-884 (GMS)

**~~PROPOSED~~ ORDER OF DISMISSAL,
WITHOUT PREJUDICE, OF COUNTERCLAIMS**

This matter, having come before the Court on the parties' Stipulation of Dismissal, Without Prejudice, of Counts 1 and 2 of the Counterclaims of Teva Pharmaceuticals USA, Inc. and Counts 1 and 2 of the Counterclaims of Teva Parenteral Medicines, Inc.;

IT IS HEREBY ORDERED that Count 1 of the Counterclaims of Teva Pharmaceuticals USA, Inc., seeking a declaration of non-infringement of United States Patent No. 6,361,758; Count 2 of the Counterclaims of Teva Pharmaceuticals USA, Inc., seeking a declaration of invalidity of United States Patent No. 6,361,758; Count 1 of the Counterclaims of Teva Parenteral Medicines, Inc., seeking a declaration of non-infringement of United States Patent No. 6,361,758; and Count 2 of the Counterclaims of Teva Parenteral Medicines, Inc., seeking a declaration of invalidity of United States Patent No. 6,361,758 hereby are DISMISSED WITHOUT PREJUDICE.

DATE

2/18/10

CHIEF, UNITED STATES DISTRICT JUDGE